

PCT

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 23, 2005

Signature: 

(Thomas A. Miller)

Docket No.: 28944/41030  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mathias A. Fink et al.

Application No.: 10/526,407

Filed: March 2, 2005

Art Unit: Not Yet Assigned

For: A Method and Apparatus for Imaging Using  
Shear Waves

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Copies of the non-English references listed on the PTO/SB/08 are attached. For the only non-English language reference, namely, French Patent No. 2, 791,136, the corresponding PCT application (WO 00/55616) is enclosed in English.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

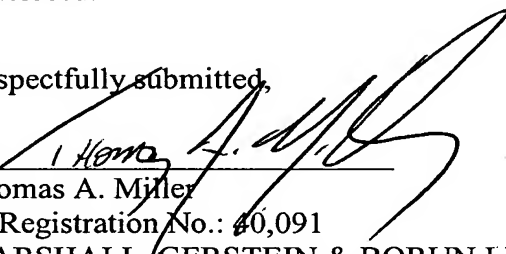
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 28944/41030. A duplicate copy of this paper is enclosed.

Dated: June 23, 2005

Respectfully submitted,

By

  
Thomas A. Miller

Registration No.: 40,091

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicants

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

|   |   |    |   |                          |                  |
|---|---|----|---|--------------------------|------------------|
| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                  |
|   |   |    |   | Application Number       | 10/526,407       |
|   |   |    |   | Filing Date              | March 2, 2005    |
|   |   |    |   | First Named Inventor     | Mathias A. Fink  |
|   |   |    |   | Art Unit                 | Not Yet Assigned |
|   |   |    |   | Examiner Name            | Not Yet Assigned |
| Sheet   | 1 | of | 2 | Attorney Docket Number   | 28944/41030      |

| U.S. PATENT DOCUMENTS |                       |   |                                |  |   |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                       | US-5,010,885  | 04-30-1991                     | Fink et al.  |   |
|                       |                       | US-5,276,654  | 01-04-1994                     | Mallart et al.                                     |   |
|                       |                       | US-5,487,387  | 01-30-1996                     | Trahey et al.                                      |   |
|                       |                       | US-5,606,971  | 03-04-1997                     | Sarvazyan  |   |
|                       |                       | US-5,810,731  | 09-22-1998                     | Sarvazyan et al.                                   |   |
|                       |                       | US-5,903,516  | 05-11-1999                     | Greenleaf et al.                                   |   |
|                       |                       | US-2004/0054282-A1  | 03-18-2004                     | Aubry et al.                                       |   |
|                       |                       | US-6,770,033-B1   | 08-03-2004                     | Fink et al.  |   |

| FOREIGN PATENT DOCUMENTS |                       |  |                                |  |   |                |
|--------------------------|-----------------------|--|--------------------------------|--|---|----------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | FR 2 791 136   | 09-22-2000                     | Fink et al.  |   |                |
|                          |                       | FR 2 815 717   | 04-26-2002                     | Aubry et al.                                       |   |                |
|                          |                       | WO 00/55616  | 09-21-2000                     | Fink et al.  |   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 |                       | Search Report for corresponding French Patent Application Serial No. FR 0210838, report dated May 15, 2003.   |                |
|                                 |                       | International Search Report for corresponding PCT Patent Application Serial No. PCT/FR2003/002516.  |                |
|                                 |                       | Nightingale et al., "Acoustic Remote Palpation: Initial <i>In Vivo</i> Results", IEEE Ultrasonics Symposium, 6 pages (2000).  |                |
|                                 |                       | Nightingale et al., "On the Feasibility of Remote Palpation Using Acoustic Radiation Force", J. Acoust. Soc. Am., Vol. 110, No. 1, pp. 625-634 (July 2001).   |                |
|                                 |                       | Nightingale et al., "Acoustic Radiation Force Impulse Imaging: In Vivo Demonstration of Clinical Feasibility", Ultrasound in Medicine and Biology, Vol. 28, No. 2, pp. 227-235 (November 2, 2002).  |                |
|                                 |                       | Sandrin et al., "2D Transient Elastography", Acoustical Imaging, Vol. 23, pp. 485-492 (2000).   |                |

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

|   |   |    |   |                          |                  |
|---|---|----|---|--------------------------|------------------|
| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                  |
|   |   |    |   | Application Number       | 10/526,407       |
|   |   |    |   | Filing Date              | March 2, 2005    |
|   |   |    |   | First Named Inventor     | Mathias A. Fink  |
|   |   |    |   | Art Unit                 | Not Yet Assigned |
|   |   |    |   | Examiner Name            | Not Yet Assigned |
| Sheet   | 2 | of | 2 | Attorney Docket Number   | 28944/41030      |

|  |  |   |  |
|--|--|---|--|
|  |  | Sandrin et al., "Time-Resolved Pulsed Elastography with Ultrafast Ultrasonic Imaging", Ultrasonic Imaging, Vol. 21, pp. 259-272 (1999).   |  |
|  |  | Sandrin et al., "Shear Modulus Imaging with 2-D Transient Elastography", IEEE Transactions on Ultrasonics, Ferroelectrics, and Frequency Control, Vol. 49, No. 4, pp. 426-435 (April 2002). |  |
|  |  | Sarvazyan et al., "Shear Wave Elasticity Imaging: A New Ultrasonic Technology of Medical Diagnostics", Ultrasound in Med. & Biol., Vol. 24, No. 9, pp. 1419-1435 (November 9, 1998).        |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

Application No.: 10/526,407

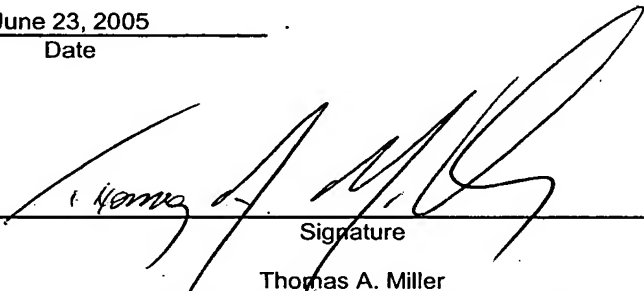
Attorney Docket No.: 28944/41030

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on June 23, 2005  
Date

  
\_\_\_\_\_  
Signature

Thomas A. Miller

\_\_\_\_\_  
Typed or printed name of person signing Certificate

40,091  
Registration Number, if applicable

(312) 474-9563  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (20 References) (2 pages)  
Information Disclosure Statement